

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITY OF WESTLAND POLICE AND
FIRE RETIREMENT SYSTEM,

Plaintiff,

v.

Case No. 1:12-cv-00256-LAK

METLIFE, INC., et al.,

Defendants.
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**NOTICE OF RENEWED MOTION BY THE UNDERWRITER DEFENDANTS
TO DISMISS THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendants Citigroup Global Markets Inc., Credit Suisse Securities (USA) LLC, Goldman, Sachs & Co., HSBC Securities (USA) Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated and Wells Fargo Securities, LLC (the “Underwriter Defendants”), will and hereby do move this Court, at the Courthouse for the United States District Court for the Southern District of New York, 500 Pearl Street, Courtroom 21B, New York, New York 10007, at such date and time as the Court may direct, for an order dismissing all of the claims asserted against them in the second amended complaint in this action and granting the Underwriter Defendants such other and further relief as the Court may deem just and proper.

In support of this motion, the Underwriter Defendants rely upon their previously filed Notice of Motion to Dismiss the Second Amended Complaint [Doc. No. 70], the memorandum of law filed in support of the previously filed notice of motion [Doc. No. 71], the Declaration of Timothy E. Hoeffner dated August 23, 2013 and the exhibits thereto including the second

amended complaint [Doc. No. 72], the reply memorandum in further support of the Underwriter Defendants' previously filed motion to dismiss [Doc. No. 79] and defendants' joint supplemental memorandum of law in support of their renewed motions to dismiss, which is being filed concurrently with this notice of renewed notice of motion to dismiss. The Underwriter Defendants also rely on the memorandum of law and materials submitted by MetLife, Inc. and the individual defendants in support of their motion to dismiss the second amended complaint [Doc. Nos. 73-75, 80], and all further filings and proceedings had in this action.

Dated: New York, New York
May 21, 2015

DLA PIPER LLP (US)

By: /s/ John J. Clarke, Jr.
Timothy E. Hoeffner
timothy.hoeffner@dlapiper.com
John J. Clarke, Jr.
john.clarke@dlapiper.com
Constance Tse
constance.tse@dlapiper.com

1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 335-4500
Fax: (212) 335-4501

Attorneys for Defendants
Citigroup Global Markets Inc., Credit Suisse
Securities (USA) LLC, Goldman, Sachs &
Co., HSBC Securities (USA) Inc., Merrill
Lynch, Pierce, Fenner & Smith Incorporated
and Wells Fargo Securities, LLC

CERTIFICATE OF SERVICE

I hereby certify that I am one of the attorneys for the underwriter defendants in this action and that on May 21, 2015, I caused a copy of the foregoing to be filed with the Court's ECF system, which will cause notice of its filing to be served electronically upon all counsel who have appeared in this action

John J. Clarke, Jr.